

PATENT

Serial No. 10/575,797

Amendment in Reply to Office Action of December 22, 2008

REMARKS

This paper is filed in response to the Office Action mailed December 22, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-5, 7-20 and 22-23 are pending in the application, where claims 2-5 and 8-21 had been previously withdrawn. Claims 6 and 21 have been currently canceled without prejudice, and claims 22-23 have been currently added by the present amendment. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications. Claim 1 is independent.

By means of the present amendment, the specification has been amended for better conformance to the drawings.

In the Office Action, claims 1 and 7 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/575,437 (Burdinski). The Examiner indicated that a terminal

disclaimer may be used to overcome this rejection. This rejection is respectfully traversed, particularly in view of the present amendments to the claims. However, it is respectfully submitted that Applicants will consider filing a terminal disclaimer, if necessary in view of any allowable claims, upon indication that the present application is otherwise allowable or includes allowable claims.

In the Office Action, claims 1 and 6-7 are rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2005/0120902 (Adams) in view of an article entitled "Silicon Transfer During Microcontact Printing" (Glasmastar). Applicants respectfully traverse and submit that claims 1, 7, and 22-23, as amended, are patentable over Adams and Glasmastar for at least the following reasons.

Adams is directed to edge transfer lithography for applying a nanoscale resolution pattern of a molecular link onto a surface of a substrate. As correctly noted on page 3 of the Office Action, Adams does not disclose or suggest an ink impermeable barrier layer on the first surface of the stamp. Glasmastar is cited in an

attempt to remedy the deficiencies in Adams.

Glasmaster discloses in the paragraph spanning the two columns on page 5475 that a stamp is made of elastomer, usually PDMS. The surface of the PDMS stamp is modified by UV/ozone treatment to create a thin glassy layer. This glassy layer on the PDMS surface acts as a diffusion barrier. Such a UV/ozone treatment not only modifies a first or protruding surface of the PDMS stamp that contacts the substrate, but also modifies a second surface in a different plane (than the plane of the first surface), such as (second) surfaces in recesses between the first or protruding surfaces that contact the substrate.

In stark contrast, the present invention as recited in independent claim 1, amongst other patentable elements recites (illustrative emphasis provided) :

a barrier layer substantially impermeable to the ink, wherein the barrier layer is on the first surface and not on the second surface.

A barrier layer on the first surface and not on the second surface is nowhere disclosed or suggested in Adams, Glasmaster, and combination thereof. Accordingly, it is respectfully requested

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that independent claim 1 be allowed. In addition, it is respectfully submitted that claims 7 and 22-23 should also be allowed at least based on their dependence from independent claim 1, as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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